

Manuel Cabrera Alejandro
 PLAINTIFF/PETITIONER/MOVANT'S NAME

09376-097
 PRISON NUMBER

San Diego Detention Center (LCA)

PLACE OF CONFINEMENT

PO Box 939049

San Diego Ca. 92143
 ADDRESS

FILED

JAN 15 2008

CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 BY *[Signature]* DEPUTY

**United States District Court
 Southern District of California**

2254	1983	<input checked="" type="checkbox"/>
FILING FEE PAID		
Yes	No	<input checked="" type="checkbox"/>
HYP MOTION FILED		
Yes	No	<input checked="" type="checkbox"/>
COPIES SENT TO		
Court	ProSe	<input checked="" type="checkbox"/>

Manuel Cabrera Alejandro
 Plaintiff/Petitioner/Movant

v.

Mr. Fred Lawrence Warden:
Mr. Lt. Hindstedt; Medical
Department: Defendant/Respondent

'08 CV 0092 JLS RBB
 Civil No. _____
 (TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

**MOTION AND DECLARATION UNDER
 PENALTY OF PERJURY IN SUPPORT
 OF MOTION TO PROCEED IN FORMA
PAUPERIS**

I,
 declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to question 2)

If "Yes," state the place of your incarceration *San Diego Correctional Facility*

Are you employed at the institution? ☐ Yes ☒ No

Do you receive any payment from the institution? ☐ Yes ☒ No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

Yes I did include that.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

My last employment was on 1989, I was take-
home \$ 300.00. Employers name Felipe Cabrera:
Address, unknown.

3. In the past twelve months have you received any money from any of the following sources?:

- | | | |
|---|---|-----------------------------|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Rent payments, royalties interest or dividends | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Pensions, annuities or life insurance | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Disability or workers compensation | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. Social Security, disability or other welfare | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. or inheritances <u>Loan</u> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Spousal or child support | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| g. Any other sources | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month.

I got a loan from my brother Jose Cabrera
Alexandre: no more.

4. Do you have any checking account(s)? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): _____

b. Present balance in account(s): _____

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): _____

b. Present balance in account(s): _____

6. Do you own an automobile or other motor vehicle? ☐ Yes ☒ No

a. Make: _____ Year: _____ Model: _____

b. Is it financed? ☐ Yes ☒ No

c. If so, what is the amount owed? _____

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

☐ Yes ☒ No

If "Yes" describe the property and state its value. _____

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

N/A.

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable):

N/A.

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]):

N/A.

11. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses.

*I am under custody So. The Prison
Provide me with food and clothes.*

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

1-10-2008

DATE

Maurice Cabrine

SIGNATURE OF APPLICANT

If you are a **prisoner** you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement.

PRISON CERTIFICATE
(Incarcerated applicants only)
(To be completed by the institution of incarceration)

I certify that the applicant Cabrera-Alexanderz, Manuel
(NAME OF INMATE)

09376-097
(INMATE'S CDC NUMBER)

has the sum of \$ 50.⁰⁰ on account to his/her credit at
San Diego Correctional Facility
(NAME OF INSTITUTION)

I further certify that the applicant has the following securities N/A

to his/her credit according to the records of the aforementioned institution. I further certify that **during**

the past six months the applicant's *average monthly balance* was \$ 20.⁰⁰

and the *average monthly deposits* to the applicant's account was \$ 20.⁰⁰

ALL PRISONERS **MUST** ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT
STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD
IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).

1-8-08
DATE

R. Rivera
SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

R. Rivera
OFFICER'S FULL NAME (PRINTED)

Unit Manager
OFFICER'S TITLE/RANK

TRUST ACCOUNT WITHDRAWAL AUTHORIZATION
(Incarcerated applicants only)

(This form **MUST** be completed by the prisoner requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

I, Manuel Cabrera #09376-097, request and authorize the agency holding me in
(Name of Prisoner/ CDC No.)
custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either • \$150 (civil complaint) or • \$5 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

1 - 10 - 2008
DATE

Manuel Cabrera
SIGNATURE OF PRISONER

Trans Date/Time	Trans Type	Amount	Code	Check#	Deposit From/Withdrawal To	Curr Bal	CR Bal	Receipt #	Rev?
07/31/2007 14:16	Deposit	20.10	CK	MAIL	UNITED STATES TREASURY	20.10	0.00	5488353	
Authorizing Employee: VBermu					Document Locator Number:	30753642			
08/29/2007 13:09	Withdrawal	-3.38	CO		COMMISSARY SUMMARY POSTING	16.72	0.00	5772594	
Authorizing Employee: MONF26					Document Locator Number:			COMMISSARY SUMMARY POSTING	
08/31/2007 15:15	Deposit	100.00	MO	MAIL	J. CABRERA	116.72	0.00	5787182	
Authorizing Employee: MLEYBA					Document Locator Number:	08712591037			
09/06/2007 13:32	Withdrawal	-11.49	CO		COMMISSARY SUMMARY POSTING	105.23	0.00	5838830	
Authorizing Employee: MONF26					Document Locator Number:			COMMISSARY SUMMARY POSTING	
09/13/2007 07:46	Withdrawal	-5.00	CO		COMMISSARY SUMMARY POSTING	100.23	0.00	5915727	
Authorizing Employee: FGERAC					Document Locator Number:			COMMISSARY SUMMARY POSTING	
09/20/2007 08:29	Withdrawal	-9.68	CO		COMMISSARY SUMMARY POSTING	90.55	0.00	5984013	
Authorizing Employee: MONF26					Document Locator Number:			COMMISSARY SUMMARY POSTING	
09/26/2007 09:25	Withdrawal	-10.81	CO		COMMISSARY SUMMARY POSTING	79.74	0.00	6037124	
Authorizing Employee: MONF26					Document Locator Number:			COMMISSARY SUMMARY POSTING	
10/04/2007 07:19	Withdrawal	-11.78	CO		COMMISSARY SUMMARY POSTING	67.96	0.00	6106791	
Authorizing Employee: HBANUE					Document Locator Number:			COMMISSARY SUMMARY POSTING	
10/11/2007 07:20	Withdrawal	-14.52	CO		COMMISSARY SUMMARY POSTING	53.44	0.00	6182418	
Authorizing Employee: HBANUE					Document Locator Number:			COMMISSARY SUMMARY POSTING	
10/18/2007 07:24	Withdrawal	-15.98	CO		COMMISSARY SUMMARY POSTING	37.46	0.00	6251039	
Authorizing Employee: HBANUE					Document Locator Number:			COMMISSARY SUMMARY POSTING	
10/25/2007 07:23	Withdrawal	-11.42	CO		COMMISSARY SUMMARY POSTING	26.04	0.00	6314370	
Authorizing Employee: FGERAC					Document Locator Number:			COMMISSARY SUMMARY POSTING	
10/25/2007 15:22	Withdrawal	.74	CRV		COMMISSARY SUMMARY REVERSAL	26.78	0.00	6321003	
Authorizing Employee: HBANUE					Document Locator Number:			COMMISSARY SUMMARY REVERSAL	
11/02/2007 07:00	Withdrawal	-14.34	CO		COMMISSARY SUMMARY POSTING	12.44	0.00	6376420	
Authorizing Employee: HBANUE					Document Locator Number:			COMMISSARY SUMMARY POSTING	

**Inmate Account Summary Report
San Diego Correctional Facility**

Today's Date: 01/08/2008

Page 2 of 2

Last Name First Name Middle Name Affix Booking#
CABRERA-ALEXANDERZ MANUEL 998699

Trans Date/Time	Trans Type	Amount	Code	Check#	Deposit From/Withdrawal To	Curr Bal	CR Bal	Receipt #	Rev?
11/08/2007 07:14	Withdrawal	-11.50	CO		COMMISSARY SUMMARY POSTING	0.94	0.00	6439562	
Authorizing Employee: FGERAC Document Locator Number: COMMISSARY SUMMARY POSTING									
12/26/2007 16:18	Deposit	20.00	MO	MAIL	GUADALUPE	20.94	0.00	6894981	
Authorizing Employee: VBernu Document Locator Number: 11574560790									
12/27/2007 11:56	Withdrawal	-16.93	CO		COMMISSARY SUMMARY POSTING	4.01	0.00	6922870	
Authorizing Employee: FGERAC Document Locator Number: COMMISSARY SUMMARY POSTING									
01/02/2008 14:59	Deposit	50.00	MO	MAIL	JOSE CABRERA	54.01	0.00	6961263	
Authorizing Employee: MLEYBA Document Locator Number: 08814265825									
01/04/2008 07:15	Withdrawal	-4.01	CO		COMMISSARY SUMMARY POSTING	50.00	0.00	6984781	
Authorizing Employee: FGERAC Document Locator Number: COMMISSARY SUMMARY POSTING									

Total Withdrawals -140.10

Total Deposits 190.10